United Nations CEDAW/C/UK/5/Add.1

Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General
29 September 2003

Original: English

Committee on the Elimination of Discrimination against Women

Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

Fifth periodic report of States parties*

Addendum

United Kingdom of Great Britain and Northern Ireland** (Isle of Man)

* For the initial report submitted by the Government of the United Kingdom and Northern Ireland see CEDAW/C/5/Add.52 and Amend.1-4, which was considered by the Committee at its ninth session. For the second periodic report submitted by the Government of the United Kingdom, see CEDAW/C/UK/2 and Amend.1, which was considered by the Committee at its twelfth session. For the third periodic report submitted by the Government of the United Kingdom, see CEDAW/C/UK/3/Add.1 and Add.2, which was considered by the Committee at its twenty-first session. For the fourth periodic report submitted by the Government of the United Kingdom and Northern Ireland see CEDAW/C/ UK/4/Add.1-4, which was considered by the Committee at its twenty-first session. For the fifth periodic report submitted by the Government of the United Kingdom, see CEDAW/C/UK/5.

** This document is being issued without formal editing.

03-53655 (E) 051103

UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

Isle of Man Government

Update Report on the Implementation of the Convention in the Isle of Man

February 2003

PART I – GENERAL BACKGROUND

1. A general political, legal, social and economic description of the Isle of Man is set out in Appendix XII to the Core Document of the Overseas Territories and Crown Dependencies of the United Kingdom (HRI/CORE/1/Add.62 of January 1996) as supplemented by Part I of the Initial Report for the Isle of Man (CEDAW/C/5/Add.52/Amend.3)

2. This Report contains comprehensive information on developments concerning the implementation of the Convention since the Report in respect of the Isle of Man: 1999.

Population

3. The population of the Isle of Man has continued to rise. The resident population at the last census of April 2001 was 76,315, representing an increase of 6.4% on the 1996 Interim Census figure. The resident population was comprised of 37,372 males and 38,843 females.

Economy

4. The number of economically active individuals increased to 39,685 and those employed increased to 39,050, leaving those unemployed at 635 (262 females, 373 males). The increase in the number of females employed was 16% whereas the males employed increased by 12%. Females now account for just over 45% of the employed population.

5. Males are still more likely to be in full-time employment or self-employment than females. Females account for 83% of part-time positions. The most frequent reason for not being in work, for both genders, was retirement. The number of females out of work because they are looking after the home and family has been declining over the past decade from 6,733 in 1991 and 4,975 in 1996 to 2,934 in 2001.

6. A copy of the Isle of Man Census Report, which contains much detailed information disaggregated by gender, is attached to this Report at Annex I.

Government and Law

7. The office of an additional High Court Judge, the Deputy Deemster has been established. The Deputy Deemster has specific responsibility for family matters. The full-time office of Deputy High Bailiff has been removed and instead it is proposed to establish an office of Judicial Officer, who will hold the posts of Small Claims Arbitrator and Deputy High Bailiff. The limit for claims under the Small Claims Arbitration system has been raised to £5,000.

Legal and other Measures

8. The Employment (Sex Discrimination) Act 2000, the Human Rights Act 2001 and Children and Young Persons Act 2001 are important new pieces of legislation. The Matrimonial

Proceeding Act 2001 and Criminal Justice Act 2002 have also been introduced. Further information concerning these Acts is provided in Part II of this Report.

Beijing Declaration and Platform for Action

9. The Isle of Man Government accepts the importance of worldwide action in the twelve critical areas of concern set out in chapter III of the Platform for Action. In those areas that are relevant to the situation in the Isle of Man, the Government would wish to see the elimination of any problems that may exist. The Isle of Man Government is committed to the equality of treatment of all people on the Isle of Man, and equal access of women and men to all areas, and at all levels, of life on the Isle of Man. Some specific examples are outlined in part II of this report.

PART II – SPECIFIC ARTICLES

Article 3

10. The Human Rights Act 2001, which is anticipated to come into force during 2003, will implement the substantive provisions of the European Convention for the Protection of Human Rights and Fundamental Freedoms in Manx law. Among the rights to be incorporated in Manx law is that enshrined in Article 14, namely the right not to be discriminated against on any grounds, including sex, in the enjoyment of the rights and freedoms set forth in the Convention. A Human Rights Officer has been appointed to prepare the Isle of Man Government, the Judiciary, local authorities and the general public for the introduction of the Act into force. A copy of this Act is attached at Annex II.

Article 4

11. The Employment (Sex Discrimination) Act 2000 s.26 makes it unlawful to discriminate on the grounds of sex in the provision of training courses, except where there are no, or very few, females (or males) doing the work in question and the object of the course is to help or encourage them to get employment in that area. A copy of this Act is attached at Annex III.

Article 6

12. The Sexual Offences Act 1967 has been replaced by the Sexual Offences Act 1992, which is in similar form thereto. The offences of rape and attempted rape now carry the same maximum penalty, namely life imprisonment.

13. The Criminal Justice Act 2001, *inter alia*, allows for the introduction of a sexual offenders register. Under the Act a person who has committed a sexual offence, as specified, in a place other than the Isle of Man may also be placed on the Isle of Man register. A copy of this Act is attached at Annex IV.

14. The following sexual offences were reported to the Isle of Man Constabulary during the period 1 April 2001 to 31 March 2002:

Offence	Number reported	Number detected	No Crime
Rape	14	4	2
Attempted rape	4	2	
Indecent Assault	38	14	
Intercourse with under 16 year old	2	2	
Indecency with children	21	8	1
Incest	1		
Bigamy	1		
Procuration	1	1	1

Article 7

15. Presently there are three women out of twenty four members in the popularly elected House of Keys and one of the ten members of the Legislative Council (eight members elected by the House of Keys plus HM Attorney General and the Isle of Man Bishop) is female. Two out of the ten members who form the Council of Ministers are female. At local authority level participation by women is presently at 28% (118 men, 46 women).

16. The Isle of Man Government has a declared Equal Opportunities policy. Discrimination of any kind is prohibited in the recruitment and selection procedures and a framework exists for the reporting and prevention of discrimination and sexual harassment in the workplace. Equal pay for men and women continues to be a feature for equivalent level appointments in the Public Service. Annex V contains a table of Civil Service employees by sex and pay-span. With effect from November 2002 a woman has been appointed to be the Head of the Civil Service (the Chief Secretary) on the Island.

Article 10

17. In 2002 there were approximately 12,045 children attending the thirty five primary and five secondary schools on the Isle of Man. There were 6,679 pupils in primary school, of which 3,427 were boys and 3,252 were girls. No breakdown by sex is available for the 5,366 pupils attending secondary school. 10,344 students (3,651 boys and 6,693 girls) attended courses at the Isle of Man College. There is also one (fee charging) independent school which is open to both boys and girls.

18. 1,303 students (596 male and 707 female) receive education grants from the Department of Education, 992 of which (459 male and 533 female) were in respect of degree courses in the United Kingdom.

19. For a four year trial period, science was taught as a single sex subject at St. Ninian's High School. This is a subject in which boys have traditionally performed better than girls, and the purpose of the trial was to see if girls did better if they did not feel they were in competition with boys. However, as no significant difference was found in the grades achieved the trial has been discontinued.

Article 11

Employment

20. The following table gives a breakdown by sex and occupation of the employment situation on the Isle of Man at the time of the 2001 Census.

Occupation	Females	Males	Total
Corporate managers	1594	3310	4904
Managers or proprietors in agriculture and services	557	904	1461
Science and technology professionals	119	668	787
Health professionals	106	183	289
Teaching and research professionals	764	425	1189
Business and public services professionals	362	723	1085
Science and technology associate professionals	116	438	554
Health and welfare services associate professionals	918	197	1115
Business and public services associate professionals	213	655	868
Other associate professionals	905	1190	2095
Administrative occupations	3907	2012	5949
Secretarial and related occupations	1625	80	1705
Skilled agricultural and trade	103	881	984
Skilled metal and electrical trades	27	1672	1699
Skilled construction and building trades	27	2127	2154
Other skilled trades	270	553	823
Personal service occupations	2223	418	2641
Sales and customer service occupations	1916	829	2745
Process plant and machine operatives	277	750	1027
Transport and mobile machine drivers and operatives	78	1227	1305
Elementary trade plant and storage occupations	76	1042	1118
Elementary administration and service occupations	1538	1015	2553
Total employed	17751	21299	39050
Unemployed, seeking work	262	373	635
Total economically active population	18013	21672	39685
Percentage	45	55	100

Legislation

21. The Employment (Sex Discrimination) Act 2000 came into force on 17 October 2001. The introduction of the Act was supported by the appointment of an officer to promote the Act and associated good practices.

22. Part 1 of the Act deals with equal pay, and is based on the United Kingdom's Equal Pay Act 1970. It implies in every woman's contract of employment a term that she will be treated no less favourably than a man if she is engaged in like work, or work rated as equivalent, to his.

23. Part 2 of the Act deals with other aspects of discrimination in employment, and is based on Parts II, IV, V and VII of the UK Sex Discrimination Act 1975, i.e. those provisions relating to employment. It makes unlawful both direct discrimination (i.e. treating a person less favourably on the grounds of sex) and indirect discrimination (i.e. applying to all persons unjustifiable conditions which fewer women than men can comply with, or vice versa). It covers not only sex discrimination but also discrimination on the grounds of marital status, and applies not only to employers but also to persons engaging contract workers, partnerships, trade unions, employment agencies and bodies conferring qualifications.

24. The Department of Trade & Industry has recently carried out a consultation exercise intended as a review of rights for working parents. The consultation document laid out a number of options in respect of the following areas:

- Maternity and paternity leave;
- Adoptive parents' rights;
- Parental leave;
- Right to request flexible working hours.

The Department is reviewing all these issues with a view to underpinning the rights of working parents and supporting the retention of working mothers in the economy. It is intended that any changes will be introduced via the Employment (Amendment) Bill, which it is due to be considered during the 2003/4 legislative session.

Training

25. As indicated under Article 4 above, the Employment (Sex Discrimination) Act 2000 makes it unlawful to discriminate on the grounds of sex in the provision of training courses, except where the purpose of the course is to help or encourage females (or males) in a particular occupation where that gender is strongly underrepresented.

26. The percentages of women on training schemes funded by the Department of Trade and Industry as at September 2002 were as follows:

Agriculture	38%
Animation/Multi Media	40%
Catering	40%
Chefs	73%
Construction	2%
Hairdressing	96%
Travel & Tourism	85%
Engineering	12%
Office Technology	58%
Sea Fishing	0%
Small Business Start-up Scheme	44%

Article 12

Health Services

27. A comprehensive range of maternity services is provided by Health Services from early pregnancy through to up to 28 days after birth, with support for parental education, specialist feeding needs and parents with special needs. The service is led by three consultant staff.

There is a specialised clinic providing care for mothers with diabetes, and active partnerships with Mental Health and Social Services. Alert systems for mother and child non-accidental injury are in place. An all-Island Infant Feeding Strategy is in the process of development.

28. Local provision of neonatal intensive care is of a higher level than might be expected from the isolated situation of the Island. The staff of three consultant paediatricians includes one specialist neonatologist. However, current trends in attitude towards isolated specialist services may pose problems in the future for maintaining this service. Should the service cease, there would be a significant increase in transfers of mothers in late pregnancy to the United Kingdom for specialised care.

29. All women with children aged under five years are allocated a Health Visitor. There is a special interest in the early detection and treatment of postnatal depression.

30. A comprehensive Sexual Health Strategy has recently been completed. Family planning services continue to be provided through General Practitioners or through the Genito-Urinary Medicine (GUM) service.

Article 13

31. The Isle of Man still maintains its reservation concerning the tax status of married women under this Article. At present when a married couple is assessed jointly for Income Tax liability, that liability falls to the husband and any refund would be paid to him. The husband must sign the form. However, as part of the Isle of Man Government's Tax Strategy, it is proposed to make a married couple equal partners – "jointly and severally liable" – by April 2004. At this point it should be possible for the Isle of Man's reservation to be withdrawn.

Article 16

32. The Children and Young Persons Act 2001 has been passed. This Act re-enacts Parts I and II of the Family Law Act 1991, reforms the law relating to children and enables help to be given to children in danger or in need. It also, amongst other issues, makes new provision for human fertilisation, embryology and surragacy. A copy of this Act is attached at Annex VI.

33. The Act states that Courts in deciding upon issues concerning the upbringing of a child, or in dealing with matters of the child's income or property, that the welfare of the child should be paramount. This principle is used in deciding other issues such as adoption and wardship, and is used by Social Services in its operational policies relating to social work with children, young people and their families.

34. The Matrimonial Proceedings Act 2001 has also been passed. This Act re-enacts Part II of the Judicature (Matrimonial Causes) Act 1976 and Part III of the Matrimonial Proceedings Act 1986; makes new provision for the sharing of pensions on the dissolution or annulment of marriage, and enables reciprocal provision to be made for the enforcement of certain financial orders. A copy of this Act is attached at Annex VII.

October 2002

United Nations CEDAW/C/UK/5/Add.2

Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General
29 September 2003

Original: English

Committee on the Elimination of Discrimination against Women

Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

Fifth periodic report of States parties

United Kingdom of Great Britain and Northern Ireland*

Overseas Territories of the United Kingdom

* For the initial report submitted by the Government of the United Kingdom and Northern Ireland, see CEDAW/C/5/Add.52, which was considered by the Committee at its ninth session. For the second periodic report submitted by the Government of the United Kingdom and Northern Ireland, see CEDAW/C/UK/2, which was considered by the Committee at its twelfth session. For the third periodic report submitted by the Government of the United Kingdom and Northern Ireland, see CEDAW/C/UK/3 and Add.1 and 2, which was considered by the Committee at its twenty-first session. For the fourth periodic report submitted by the Government of the United Kingdom and Northern Ireland, see CEDAW/C/UK/4 and Add.1-4, which was considered by the Committee at it twenty-first session. For the fifth periodic report submitted by the Government of the United Kingdom and Northern Ireland, see CEDAW/C/UK/5 and Add.1.

The present report is being issued without formal editing.

03-53515 (E) 171103

UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW)

5TH PERIODIC REPORT OF THE OVERSEAS TERRITORIES OF THE UNITED KINGDOM

PART III

July 2003

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I. Introduction

1. This part of the present report contains, in its various Annexes, the United Kingdom's 5th periodic reports under the Convention on the Elimination of Discrimination Against Women (CEDAW) in respect of its Overseas Territories. These reports are set out below as follows:

Annex A	Turks and Caicos Islands
Annex B	British Virgin Islands
Annex C	Falkland Islands

2. As requested in the Committee's Concluding Comments (A/54/38/Rev.1) on the United Kingdom's 3rd and 4th periodic reports, the reports in these Annexes are updating reports and aim to address any points raised in those Concluding Comments.

II. General

3. There are a few general matters on which the Committee may welcome information.

a) Partnership between United Kingdom and Overseas Territories

The new relationship between the United Kingdom and its Overseas Territories, as referred to in the UK's 3rd periodic report to the Committee on the Convention Against Torture (CAT/C/44/Add.1), has now been fully launched. This is described in more detail in the White Paper entitled "Partnership for Progress and Prosperity - Britain and the Overseas Territories" which was published in March 1999 and a hard copy of which is being transmitted to the Committee's Secretariat together with the present report. As planned, both the Foreign and Commonwealth Office (FCO) and the Department for International Development (DfID) - the two Ministries of the United Kingdom Government principally concerned - have set up separate Departments, each supervised by a specially designated Minister, which are charged with responsibility for the affairs of the Overseas Territories. A structured dialogue between the Governments of the Overseas Territories and that of the United Kingdom is now in place. There have been several, successful meetings of the annual Overseas Territories Consultative Council in which the participants are the United Kingdom Ministers responsible for the affairs of the Overseas Territories and the Chief Ministers or other representatives of the Governments of the Territories. There have also been a number of meetings of the Conference of Attorneys General of the Overseas Territories, usually under the chairmanship of the Attorney General of England.

(b) Constitutional protection for human rights

The Committee will be aware that the Constitutions of several of the Overseas Territories have for many years contained provisions guaranteeing the human rights and fundamental freedoms of the individual. These provisions, though they are tailored in some respects to the particular circumstances of the Territories concerned, are broadly derived from the European Convention on Human Rights and the International Covenant on Civil and Political Rights and are enforceable in the courts, which have full powers to provide effective remedies for any breach or threatened breach. At one of the meetings of the Conference of Attorneys General of the Overseas Territories referred to above, it was

decided to commission a study of the possible need to update and strengthen the existing human rights provisions (i.e. in those Territories whose Constitutions already contain them) and also of how best to further the process of incorporating such provisions into the Constitutions of those Territories that do not yet have them. This study was recently completed and its report has now been circulated to all the Overseas Territories for detailed consideration.

(c) Citizenship

Since consideration by the Committee of the UK's 4th periodic report, the United Kingdom Government has considered actively and sympathetically the possibility of conferring full British citizenship on the inhabitants of the Overseas Territories. This would bring with it the right of abode in the United Kingdom and freedom of movement and residence in the European Union and the European Economic Area. The Committee will wish to know that the legislation for this purpose has now been enacted, as The British Overseas Territories Act 2002, and the relevant provisions were bought into force, as soon as the necessary administrative arrangements had been put in place, on 21 May 2002.

(d) Realisation of Human Rights

Recognising the need to help the Overseas Territories meet international human rights standards, the FCO and DfID jointly launched a Realisation of Human Rights project in 2001. As an initial stage in the project process, a social development consultancy - Social Development Direct (SDD) – was appointed to undertake a series of field visits to help identify the human rights issues of concern to the people and Governments of the Overseas Territories. During its field visits SDD held a series of open meetings and interviews with a wide cross section of society and with Government representatives. SDD's reports have since been passed to the Governments of the Territories concerned, and are being circulated more widely in the Territories themselves to help stimulate discussion and to encourage wider public participation in the human rights process. Those issues identified as being of concern to people in individual Territories included child protection, minority rights, and the status of migrant workers and long-term residents and their participation in society.

The UK Government is consulting with Territory Governments on the issues that were highlighted by the research, and will work in partnership with them in taking forward the agenda that results from these discussions. Specific areas where the UK Government might assist are currently being considered.

Annex A – Turks and Caicos Islands

National census 2001

4. In 2001 the household population of the Turks and Caicos Islands (TCI) was estimated at just over 20,000, principally on the islands of Providenciales (13,000) and Grand Turk (4,000), which is the seat of Government. The population was divided almost equally between Belongers (10,400) and Non-Belongers (9,600). There were 10,100 women in the population (5,350 Belongers) in the following age groups:

Under 19 years :	3,700
20-39 years :	3,900
40-59 years :	1,900
60 or over :	600

Women and legislation in TCI

5. The Convention on the Elimination of All Forms of Discrimination Against Women was extended to TCI in 1986. The principal TCI legislation is the Sex Disqualification (Removal) Ordinance (Cap.97) of 1950. Fundamental rights and freedoms of the individual and protection from discrimination are expressed in the TCI Constitution of 1988 (Cap.1 articles 67 and 78) whatever (the individual's) race, place of origin, political opinions, colour, creed or sex. A copy of this legislation is being transmitted to the Committee's Secretariat together with the present report.

6. Whilst TCI legislation removes discrimination against women, there are no policies or programmes of positive or temporary discrimination as such.

Legal and other measures adopted since the previous report

7. The Evidence (Amendment) Ordinance 2001 removed the restrictions, dating from 1882, on communications in marriage to be used as the testimony of a spouse in criminal proceedings. The spouse of the accused can now be compelled to give evidence for offences of assault, injury or threat of injury to the spouse her/himself, or a person under sixteen, sexual offences against a person under 16, and conspiring to commit, or aiding, abetting, counselling, procuring or inciting the commission of such offences. Neither spouse is competent or can be compelled to give evidence where they are jointly charged with an offence.

8. The TCI Government proposes to introduce further legislation in 2003 concerned with the prosecution of domestic violence, drawing on appropriate legislation from other countries and territories in the Caribbean region. An explanatory note on the proposed legislation is being transmitted to the Committee's Secretariat together with the present report.

9. In November 2002 the TCI Minister for Home Affairs and Physical Planning agreed in the Executive Council to establish a National Human Rights Committee. The Committee was established to facilitate the implementation of and reporting under the core UN human rights treaties. The principal aims of the National Committee will be to guide the work of existing

human rights committees, and improve liaison between Government, civil society organisations and individuals on human rights issues. The National Committee will be appointed by Executive Council, which is presided over by His Excellency the Governor. Membership of the Committee has yet to be agreed, but with the Government's National Machinery in place the Gender Affairs Desk will seek to ensure that women will be represented.

Actual progress to promote and eliminate discrimination against women

10. The Government of the Turks and Caicos Islands is committed to empowering women at all levels. As a follow-up to the Beijing Conference in 1995, the Women in Development Committee lobbied the Government to put in place a mechanism for women's empowerment. In 1999, the Women's Affairs Desk (now Gender Affairs) was established under the Ministry of Education, Youth, Sports and Gender Affairs. One of its responsibilities is to monitor the status of women in the TCI and to ensure gender equity and equality. The Beijing Platform for Action is used as a guide for the Gender Desk in carrying out its mandate.

11. The Gender Desk is supported by Women in Development (WID), an NGO with branches in all the main islands. Representatives have established a combined Committee on the Rights of the Child and on the Elimination of Discrimination Against Women, the objectives for which are to raise awareness about the relevant Conventions and ensure compliance with the TCI Governments obligations therein.

12. The Gender Affairs Desk frequently organises seminars, workshops and talk shows to increase the awareness of both women and men on issues related to the equality of women with men. Feedback from these seminars has been extremely positive and it is evident that all participants were keen to learn more about CEDAW and its provisions. The print and voice media is also regularly utilised for the development of awareness of the Convention, though the main medium for disseminating this information is through focus groups and schools.

Information relevant to articles of the Convention and Beijing Declaration

Development and advancement

13. (See paras 5-9 above)

Family education and maternity

14. The Turks and Caicos Family Planning Clinic continues to provide a valuable service in sex and family planning education. Health care facilities, including family planning services, are available to all women. The clinics are held twice weekly and a doctor is always in attendance. Full reproductive rights of married women in respect of tubal ligation are impeded by the requirement for the husband's consent to the procedure. There are no immediate plans to address this issue.

Trafficking in women – violence against women and girls

15. Legislation for the protection of women is currently under revision (see para 8). In 2001 the Gender Desk, in collaboration with the Police, carried out a series of Domestic Violence Training workshops for Police Officers, Teachers and Social Workers, funded by the Caribbean Association for Feminist Research and Action (CAFRA) and the Caribbean Development Bank. As a result of that training, a Domestic Violence Foundation (DVF) has been formed with Women in Development, to establish a Women's Crisis Centre in Providenciales. The Government contributed Crown land towards the project and foundations for the centre were laid on March 8, 2003 (International Women's Day), with the aim to complete construction by August 2004. The establishment of the Crisis Center is an important priority for DVF, as, for the first time, it will provide women with an essential, viable alternative to staying in a violent relationship.

16. The DVF is working vigorously for more women-friendly legislation, especially concerning the length of sentences and the rehabilitation of offenders returning to society.

17. The Royal Turks and Caicos Islands (RTCI) Police Force has no information on the extent of prostitution or evidence of trafficking in women within TCI.

18. The Gender Desk aims to increase the level of awareness on domestic violence and sexual abuse on minors by educating students, especially primary school students, distributing posters and hand-outs throughout the community, appearing on talk shows, publishing articles in the print media, and running community outreaches with targeted focus groups. These public awareness strategies are proving beneficial as the TCI Government is observing a marked increase in the number of complaints filed and brought before the courts. Nevertheless it is believed that a significant number of offences against women go unreported and there are instances where women have withdrawn complaints, even at a late stage, in proceedings brought by the Crown.

19. There is a concern that a number of factors increase the vulnerability of migrant women and their children to domestic violence and sex abuse. Chief amongst these is the reluctance of such persons to call upon the police for assistance. Cultural and language barriers also contribute to a lower level of reporting. Police statistics for offences against females are as follows:

	Jan-Dec 2001	Jan-Oct 2002
Indecent assault	8	9
Rape	4	3
Attempted rape	3	0
Unlawful carnal knowledge	8	11
Attempted unlawful carnal knowledge	0	2
Incest	0	1
Wounding	8	5
Common assault	7	8
Attempted or actual bodily harm	25	23
Total offences:	63 (12 months)	62 (10 months)

Political and public life

20. Women have made their mark in the most senior public service positions, including The Chief Secretary, who is head of the Civil Service, and her second in command, the Establishment Secretary. There are currently no female Permanent Secretaries (previously, there were three). However, there are three females at the next level of Under Secretary.

21. The TCI Red Cross was established in 1967 and all of its national Presidents have been women.

22. There are currently five women local attorneys (42% of the total) appointed Crown Counsel in the Attorney General's Chambers. Before 2000, there were no women Crown Counsels. There are currently four women local attorneys in private practice.

23. 70% of public sector employees are women. Many qualified women are recruited to the TCI public service from the Caribbean region. Senior public service positions held by women include Clerk to the Legislative Council (who is also Regional Secretary of the Commonwealth Parliamentary Association), Chief Medical Officer, the Coordinator of the HIV/ AIDS Programme, Chief Social Welfare Officer, Head of the Drug Unit, Superintendent of HM Prison, Director of Fisheries, Director of the National Trust, Director of Physical Planning, Director of the Broadcasting Commission, Managing Director of the Financial Services Commission and Finance Director of the National Insurance Board. Many represent the TCI at international and regional meetings or sit on regional boards of management. As a British Overseas Territory, the TCI does not have a diplomatic service.

24. Senior positions in education held by women include Director of Education and the Principal of the Community College, which is the foremost tertiary education establishment in TCI. 11 out of 14 (79%) principals in Government primary and secondary schools are female, as are 18 out of 21 (86%) at private schools. Of the 223 teachers on TCI, 166 (74%) are women. Women therefore make a significant contribution towards the empowerment of young people and the most vulnerable members of society in TCI.

25. Women do not currently play a significant role in political life. Out of a total of 18 elected, appointed and ex-officio members of the new Legislative Council, established on May 9 2003, only two are women (down from four in the last session of the Council). None hold Ministerial positions, although in previous Governments there have been two female Ministers. A predecessor of the Speaker of the House was also female.

Marriage, nationality and equal rights for children to nationality

26. Through an amendment to the Immigration Ordinance in 2002, an illegitimate child born in or outside the TCI, or a legally adopted or otherwise dependent child, has Belonger status if at least one of his/her parents has Belonger status or was born in the Islands. Before the amendment, the immigration status of an illegitimate child depended on the status of his/her mother. They are now free from immigration restrictions.

27. Belonger status is also granted to the spouse of a Belonger, provided that:

- the applicant has lived with his/her spouse for a minimum of five years, or would have done so but for the death of the spouse; and,
- on the date of application is not formally separated or, where the spouse has died, is not remarried.

Education and employment; economic benefits

28. All children are entitled to compulsory education from ages 4-16. Out of the total number of children in pre-primary, primary and secondary education, the percentage of girls over the last 3 years has been as follows:

	Total pupils	% girls
2000-01	4,401	51%
2001-02	4,305	49%
2002-03	3,920	49%

29. The TCI Government offers a number of scholarships to students at the secondary and tertiary levels. In 2000, the TCI Government was lobbied by the Gender Affairs Coordinator to establish a Continuous Education Programme for teenage mothers, who hitherto had been removed from the main stream of education following pregnancy. The Government funded a two-year pilot programme so that teenage mothers could continue their education, preparing them for the world of work or for the continuation of vocational studies at the community college. Nineteen girls graduated from this programme in 2002. The Gender Affairs Department sees this as an important initiative and is advocating a renewal of the programme. The Gender Affairs Department has also instituted a female literacy programme.

30. There are 388 female students at the TCI Community College, 69% of the total. Typical areas of study by female students are associate degrees in hospitality, business administration, computers, general science; and certificate courses in hospitality studies, business studies, school administration management, early child development, human resource management and clinical nursing. There are pre-college courses including 'O' and 'A' levels and Caribbean Examinations Council upgrading, adult and continuing education courses, conversational Spanish and computer literacy courses. There are six full time female members in the faculty, and sixteen part time members.

31. There are no statistics disaggregated by sex for employment.

32. Women play a prominent role in the media. The Director of Radio Turks & Caicos is a woman, as is the anchor for the national TV station (WPRT). A majority of news reporters are women.

Healthcare

33. The TCI Government commits the largest share of public expenditure to improving the health and education of the population. It is increasing its investment in diagnostic services in order to reduce the number of medical referrals to hospitals abroad. The main hospital in Grand

Turk and smaller clinics in the other islands provide free family life education and family planning services to all women in the country. A private clinic in Providenciales recently invested in a Mammogram machine so that women are able to receive regular breast examinations.

34. The Gender Coordinator and the AIDS Coordinator work together in a number of outreach programs to the community. In an effort to curb the increasingly serious spread of HIV and AIDS and to reduce the impact on families, communities, individuals in general, and women in particular, the TCI Government has implemented several initiatives through the National AIDS programme, including:

- Reducing the spread of HIV to children through a Prevention of Mother to Child Transmission programme initiated in 1997, which provides Zidovudine (AZT) to pregnant women who are HIV positive and to their babies until 6 weeks old.
- Providing free drugs and free male condoms to combat opportunistic infection. The promotion of the female condom has also been implemented, although its success has yet to be evaluated.
- In conjunction with the Gender Affairs Department organising workshops for women, particularly sexually active women, to improve their negotiating skills and empowerment.
- Youth peer counselling through the youth arm of the National AIDS Programme, which addresses youth sexuality, HIV prevention, and empowerment skills to enable young people to make positive decisions and take responsibility for their lives.
- Annual training sessions to update and strengthen the skills of HIV counsellors and healthcare providers.
- On World AIDS Day 2002, the Chief Minister of the TCI, the Hon. Derek Taylor appealed to the community to love and care for the victims of AIDS and not to discriminate against them.

35. The number of cases of teenage pregnancy is known by the Health Department to be increasing. Abortion is not legal in the TCI.

Poverty alleviation, economic and social benefits

36. The Department of Economics, Planning and Statistics has established a number of poverty alleviation schemes, providing project support for women's advancement. In 2001, the Gender Affairs Desk received funds for a sewing and handcraft programme for unemployed women wishing to establish their own businesses. The Turks and Caicos National Trust promotes sustainable tourism and economic activity by assisting women in the small islands to improve the quality, competitiveness and marketing of traditional handicrafts such as basket weaving.

37. The Small Business Enterprise programme managed by the TCI Investment Agency has provided loans to 159 business women (61% of total applications) and small business management advice and other support to a further 239 (53% of the total assisted) to ensure that their businesses are successful and sustainable.

38. Many of those assisted under the Small Business Enterprise programme are rural women, as they are located in the least populated islands, often engaged in handicrafts. These women are required to enrol in the Business Skills Programme, where they are taught how to market their products, business management and planning. There is very little agriculture in TCI, but community ties are stronger and programmes of assistance for small business development are thereby more successful. Rural women also play an integral part in community activities. Many community groups are chaired by women or have a majority of female members. These groups focus on social, cultural or religious programmes.

39. Other TCI Investment Agency programmes provide assistance to single women for low-cost housing and continuing education loans. Women now have access to land and other resources to improve their financial status.

40. The National Insurance Board assists women with maternity grants, widow's grants and benefits and pensions for those over the age of 65. A very important aspect of social security legislation, in keeping with social and cultural norms, is the provision for payment of benefits to women who are not legally married but who are living in common-law relationships. National Insurance schemes have therefore enabled all women to improve their financial status.

Legal capacity

41. A family court has been established in the TCI and sits for one day a week. The court allows for more privacy and sensitivity and should therefore encourage more women to bring family matters before the court.

Support for Women

42. Support for women is delivered increasingly through NGOs. The work of the Domestic Violence Foundation has been described above. Women in Development is working with children left behind by victims of HIV/AIDS. Women In Action (WIA) is an advocate for women's rights through mentoring and networking. Specific programs currently undertaken by WIA include increasing self-esteem amongst young girls, and developing political leadership potential. By 2005, TCI fully expects to have achieved the aims of the Beijing Declaration and Platform for Action for women to hold at least 30% of the positions in public office.

Constraints

43. The main constraints towards full realisation of the rights under CEDAW are resource based. Only one person staffs the Gender Desk in the Ministry of Education; additional funding is needed for training in Gender Mainstreaming; and there is a lack of logistical support such as transportation. NGOs also lack human and financial resources to ensure that programmes are successful and sustainable. However, the Ministry of Education, Youth, Sports and Gender Affairs intends to hire a counterpart to the Gender Coordinator in the largest of the populated islands – Providenciales – which should enable the Coordinator to carry out more substantive duties.

44. The Report on the Turks and Caicos Islands was prepared by the Department of Gender Affairs in the Ministry of Education, Youth, Sports and Gender Affairs, with input from other relevant Government departments and NGOs to which the report relates. The preparation of the report has enabled each organization to become more familiar with the Convention and to consider the measures they have taken to implement its provisions.

Annex B – British Virgin Islands

Legal and other measures adopted since the fourth report which implement the Convention

45. In 2000, amendments were made to the Immigration and Passport Act so that the spouses of both sexes are deemed to Belong to the Territory after a marriage has lasted for a period of five years and an application for Belonger Status has been made.. A copy of this legislation, and that mentioned in paragraph 46, are being transmitted to the Committee's Secretariat together with the present report.

46. In paragraph six of the United Kingdom's fourth periodic report (CEDAW/C/UK/4/Add.2, British Virgin Islands) it was reported that the Criminal Code of 1997 had been amended to provide stronger penalties for sexual offences. The Committee will wish to know that, in 2000, further amendments were made to the Magistrate's Code of Procedure Act to prevent a Magistrate from admitting to bail a person charged with rape or sexual intercourse where the alleged victim is a girl under the age of thirteen or a woman who suffers from a mental illness.

47. There is presently in circulation a draft Labour Code Bill which aims to codify the labour law into a single comprehensive Bill. Essentially, the objectives of the Bill are to create standards to ensure that fair and reasonable minimum working conditions are available to all employees and that the relationship between employers and employees are conducted equitably. The draft Labour Code Bill addresses issues of maternity leave, sexual harassment, and equal remuneration between men and women. The Bill, which is presently under consideration by the recently elected Government, also addresses issues of discrimination in respect of employment by providing for equality of treatment irrespective of race, colour, sex, religious beliefs, ethnic origin, nationality, political opinion or affiliation, disability, family responsibility, pregnancy, marital status or age. Objectives and reasoning for the Bill are being transmitted to the Committee's Secretariat together with the present report. The Bill will compliment the Anti Discrimination Act, 2001 which makes discrimination on racial grounds unlawful.

48. In 1999, the minimum basic wage payable for employment in the Territory was increased to $4.00 per hour.

49. In 2000, through a Memorandum of Understanding between the Government and the Bar Association, a Limited Legal Aid scheme was established and has made legal services affordable for persons within the Territory.

Actual progress made to promote and ensure the elimination of discrimination against women

The Women's Desk, Domestic Violence and the Family Support Network

50. In January 2001, The Woman's Desk was renamed the Office of Gender Affairs ("The Office"). The Office of Gender Affairs continues to emphasise a women's agenda but is also inclusive of the issues and concerns of men. The philosophy behind the name change focused on the idea that the Office of Gender Affairs would present a balanced structure that would be viewed more positively by the community. However, a revision of the original mandate given

to the Office has not yet been made. The established posts in the Office of Gender Affairs were increased to three in 2001. The Office now provides for a senior administrative officer, an administrative officer and an executive officer. The post of administrative officer is presently vacant and there remains a need for more resources on the administrative level. The additional staff adds to the resources available for carrying out the work of the Office as described in previous Reports.

51. The Office of Gender Affairs continues to be active in the community and is presently in the process of organising a conference for women concerning finance.

52. From 26 November 2001 – 23 December 2001, the Office of Gender Affairs held a series of workshops entitled "Domestic Violence Intervention". The workshops were specifically geared towards police officers, social workers and other frontline professionals. The workshops addressed findings of ineffectiveness in the response of frontline officers to domestic violence as reported by agencies such as the Family Support Network.

53. The Family Support Network continues to function and since 2001 has received steady funding from the Government and natural and corporate persons in the community. It continues to promote public awareness events with regard to domestic violence. In conjunction with the Office of Gender Affairs, the Family Support Network has assisted in ensuring that protocols are put in place for frontline offices, especially those police officers that are first to hear complaints regarding domestic violence. In addition, officers of the Family and Juvenile Unit receive Government training on social issues. Recently, officers of the Unit returned from a four-month course in social work.

Sex Role Stereotyping /Equal Rights in Education

54. The BVI Government is currently undertaking a National Curriculum Redesign Project and a Review of the Education Act. These projects aim to address issues such as health and family life education and sex role stereotyping. A further outcome should be the collection and presentation of gender specific statistics on various issues. Further information on the projects is being transmitted to the Committee's Secretariat together with the present report.

The Humans Rights Reporting Coordinating Committee (HRRCC)

55. In 1999, the Human Rights Reporting Coordinating Committee ("The Reporting Committee") was established. The Reporting Committee's Terms of Reference are being transmitted to the Committee's Secretariat together with the present report. The Reporting Committee comprises of seven persons, 5 of whom are women, and includes representatives from the Governors Office, the Chambers of the Attorney General, Gender Affairs, UNESCO and the Ministries of Government. In 2000, the Reporting Committee considered the Convention on the Elimination of All forms of Discrimination against Women and evaluated the level of compliance in the Territory with the Convention, whilst taking into consideration documents that have resulted from various world conferences such as the Beijing Platform for Action. Having completed this evaluation, the Reporting Committee made recommendations to the Government for action. The recommendations called for wide dissemination of the Convention and the Beijing Platform for Action and for sessions to sensitise women, public officials and the wider community to the Territory's obligations under the Convention. The recommendations also called for sex-disaggregated data to be kept. The recommendations

were approved by the Executive Council and laid on the table of the Legislative Council. Heads of Department of Governments were made aware of the recommendations and were encouraged to implement them where appropriate.

56. As a result of the recommendations, the Reporting Committee has been given a budget to assist in the dissemination of information. The Committee has since sent copies of the Convention, and periodic reports under it, to all public and school libraries. In addition, the Reporting Committee, as part of the international observation of Human Rights Day in December 2001, produced pamphlets and flyers to educate and sensitise the public with regard to the articles of the Convention and human rights as a whole. Newspaper articles, public appearances by members of the Reporting Committee and local talk shows and seminars were other means used to sensitise the public to the Convention. The Reporting Committee has also taken part in various national initiatives such as a recent Assessment of Poverty exercise in the Virgin Islands and has been able to bring issues relating to the Convention to the forefront of discussions. The Reporting Committee is continuing work with regards to the obligations of the Convention and follow-up exercises based on its recommendations.

Health Care

57. Presently the Government is reviewing assistance from the Clinton Foundation (Treatment and Care) as well as its national strategy. The Government has established a post for an HIV/AIDS co-ordinator and is also reviewing its policy of HIV/AIDS in the work place. Empowering women while educating men is critical to efforts at controlling the spread of HIV.

58. The Government and NGOs have initiated many programmes with regard to various aspects of HIV/AIDS education. In December 2002, for example, the Health Education Unit of the Government held a radio and television talk show on HIV/AIDS and discrimination.

Significant changes in the status and equality of women since the fourth report

59. Women continue to hold influential and decision-making offices within Government Departments and Statutory Boards as well as in the private sector and in professional Associations and other associations. Women continue to represent the Territory at local regional and international meetings and conferences associated with their offices. Currently, two of the five Permanent Secretaries of Government, the Head of the BVI Finance Centre, the Supervisor of Elections, the President of the Bar Association of Lawyers and the President of the Rotary Club of Tortola are women. From a total of 33 persons contesting seats in the 16th July 2003 General Elections five were women, two of whom were elected to the Fifteen Seat Legislative Council.

60. The report, "*Women Farmers of the Virgin Islands*", forecast in the United Kingdom's fourth report, has been published.

61. Attempts to form and maintain the association of local domestic servants, as forecasted in the United Kingdom's fourth report, were not successful due to the poor participation of women.

62. Other significant changes are highlighted in paragraphs 45-50 above.

Annex C – Falkland Islands

Background Statistical information

63. The 2001 Census conducted on 8 April 2001, a copy of which is being transmitted to the Secretariat of the Committee along with the current report, showed that the population of the Falkland Islands in 2001 was 2913 persons. This includes persons present in the Falkland Islands in connection with the military garrison, but excludes all military personnel and their families. The population was made up of 1598 males and 1315 females. The population of Stanley was 1989 (1009 males and 980 females). The population of East Falkland (outside Stanley and Mount Pleasant) was 208 (113 males and 95 females). The population of West Falkland was 144 (74 males and 70 females). The population of islands (other than East and West Falkland) was 38 (21 males and 17 females). The population of Mount Pleasant was 534 (381 males and 153 females).

64. Comparisons with previous Censuses shows that the Falkland Islands at the time of the 2001 Census had the highest population they have ever had at the time of any Census. There has been a continuation of the trend of the loss of population from Camp (all areas of the Falkland Islands outside Stanley and Mount Pleasant). The 2001 Census shows that the inherent British nature of the Falkland Islands remains practically unaltered (94.01%).

Legal and other measures adopted since the previous report to implement the Convention

65. In the Fourth Report, reference was made (at paragraph 21) to an Equal Employment Rights Bill (based on the Equal Pay Act of the United Kingdom) and a Sexual Discrimination Bill (again based on the United Kingdom legislation). Both these pieces of legislation have been enacted as the Equal Employment Rights Ordinance 1998 and the Sex Discrimination Ordinance 1998. A copy of the legislation is being transmitted to the Secretariat of the Committee along with the current report.

66. The Employment Rights Ordinance requires the equal treatment of men and women in the same employment and deems to include an equality clause in all contracts of employment as well as providing means of redress to the courts in cases of discrimination. The Sexual Discrimination Ordinance regulates discrimination in employment and other fields, including education and the provision of goods, facilities and services. Discrimination by employers and other bodies is regulated and a means of redress to the courts is provided.

67. Significant progress has been made towards the introduction of separate taxation for married couples referred to in paragraph 22 of the Fourth Report. The Taxes Amendment Ordinance 2002 provides *inter alia* for the separate taxation of married couples, and came into force on 1 January 2003, although the provisions relating to the separate taxation of married couples will not have effect until 1 January 2004. This will bring to an end the situation where a wife's income is deemed for tax purposes to be her husband's income.

68. In the criminal justice system, there have been developments in relation to the protection of women who are complainants and provide evidence in cases involving sexual offences. In addition, there are protections offered to vulnerable witnesses, including child witnesses. These are contained in the Criminal Justice (Evidence) Ordinance 2000, which is based on the

equivalent provisions of the Youth Justice and Criminal Evidence Act 1999 of England. The provisions operate to provide protection where a complainant is a witness in proceedings relating to sexual offences. Protection is also offered to vulnerable witnesses, including child witnesses. These provisions, which apply to all those witnesses referred to above, include special measures that can be made by the Court such as screening the witness from the accused, providing that evidence can be given by live link or in private, the removal of wigs and gowns or having the video recorded evidence as the evidence in chief. There are also provisions for the restriction on evidence or questions about complainant's sexual history. The provisions of the Ordinance that provide protection to children under 17 were commenced on 29 September 2000. The remaining provisions (except sections 16, 17, 33 and 34) were commenced on 25 October 2002. In respect of the provisions yet to be commenced, the equivalent provisions have not been commenced in England.

69. Substantial progress has been made towards the adoption of a written Government-wide policy on the policing of domestic violence. It incorporates elements that have operated de facto for some years by the Royal Falkland Island Police (RFIP) and the Attorney General's Department. The domestic violence policy prepared by the RFIP and Social Work Department makes reference to the duty that exists under International Treaties to take steps to protect women from violence. The aims of the policy are the protection of victims in order that they or any children are not left at risk or in fear of further harm or injury, and to ensure vigorous investigation to secure and preserve evidence and, where there is evidence of an offence, to arrest and charge the offender. While the Attorney General's Department has not been unwilling to prosecute violence against women and have done so, the adoption of a clear domestic violence policy will be a positive step. The policy was endorsed without reservation by the Police Committee on 12 November 2002.

70. The draft domestic violence policy was discussed on the national radio station by the Inspector RFIP and the Team Leader of the Social Work Department. During this interview, the seriousness of domestic violence was stressed. The programme was repeated after the policy was endorsed.

Actual progress made to promote and ensure the elimination of discrimination against women

71. In the Fourth report, reference was made in paragraph 23 to the removal of role-typing previously evident in Falkland Islands society where women were regarded as being subservient to men. The initiatives taken and reflected in this and previous reports have done much to assist in the removal of such role-typing. The Falkland Islands Government regards as particularly important the education given in Falkland Islands schools and reflected in paragraphs 98-103 of this Report.

72. Efforts to raise the profile of human rights (and particularly women's rights) in the Falkland Islands have increased. There has been publicity via the local radio station and newspaper of the Convention on the Elimination of All Forms of Discrimination Against Women and the reporting obligations thereunder. Public comment and input was sought in relation to the preparation of this Report by way of requests for comment in the publicity referred to above. No comment was received. The Convention on the Elimination of All Forms of Discrimination Against Women is available in the public library or on request from the Attorney General's Department and this fact has also been publicised.

73. There is one specific women's organisation in the Falkland Islands. This is Corona World-wide which has a membership in the Falkland Islands of thirty women with ages ranging from thirty to late seventy. Membership is open to all women. The Corona World-wide has no formal relationship with the Government, being an entirely independent group, but is recognised as a charity for tax relief purposes. Comment in relation to the preparation of this Report was sought from Corona World-wide and the local branches of Red Cross. No comment was received from either organisation.

74. As reported previously, the social support system in the Falkland Island is not very sophisticated. This is discussed in paragraphs 87-94. There have been improvements with the development and modernisation of the Social Work Department. The Department is currently staffed by a Social Work Team Leader, 2 qualified Social Workers, 3 other full-time workers and 3 part-time workers. The Social Work Department offers a 24-hour on call service. The responsibilities of the Social Work Department are varied, including parenting programmes, home help, a young persons unit, community outreach work, a day centre operating for 3 sessions per week, crisis support, housing, benefits, learning disabilities, occupational and community care assessments and probation. The Department runs programmes in the community such as the Responsible Living Programme, which provides assistance for people with alcohol problems which lead to aggression being displayed. There has been a significant shift in the approach of the Department towards the establishment of a professional service advocating a multi-disciplinary approach towards the provision of support and assistance.

Any significant changes in the status and equality of women since the previous report

75. Subject to the difficulties identified in the Fourth Report in relation to women's status, the Falkland Islands Government believe that women in the Falkland Islands have an equal status with men.

76. In the Fourth Report at paragraph 6, it was noted that discrimination on the basis of pregnancy anecdotally existed in the Falkland Islands. This matter has been addressed by the enactment of the Sex Discrimination Ordinance 1998 which prevents discrimination in relation to the sexes but still has the effect of requiring employers to comply with the provisions of the existing Employment Protection Ordinance 1989 which makes provision for maternity leave.

77. In the Fourth Report at paragraphs 7 – 8, there was discussion of the need for childcare and reference to the opening of a formal, private enterprise creche. There are now two creches operating in Stanley from Monday to Friday. One creche operates between the hours of 7.30 am – 5.00 pm and is available for care of children aged 2 months to 11 years old. The other creche operates 7.00 am – 5.00 pm and is available for the care of children aged 4 months to 8 years old. The creches and childminders are not registered or regulated in the Falkland Islands. The Social Work Department has arranged training for the staff in first aid and fire safety awareness. Some families have difficulty in affording the fees. The Government's Social Work Department will assist with the payment of nursery fees, but only if the mother is unemployed, the child(ren) are on the child protection register or there are significant financial hardships/concerns about the child(ren).

78. The provisions of childcare in the Falkland Islands, including the provision to the less well-off of direct financial support for childcare, is currently the subject of review by the Falkland Islands Government. The regulation of childcare is also the subject of review.

79. In the Fourth Report at paragraph 6, there was discussion of the fact that women are taking short breaks in connection with the birth of a child and returning to work soon after each child's birth. The pressure to return to work is greater in the case of single mothers, as detailed in paragraph 30. As detailed in paragraph 34, financial assistance for those in hardship is currently the subject of review.

80. In the Fourth Report at paragraphs 11 – 17, there was discussion of the previous lack of availability of tertiary education in the Falkland Islands. As highlighted in the Fourth Report, this applied as much to men as women and has been the focus of Government initiatives. Increased levels of achievement amongst Falkland Islanders remains a Government priority. This is discussed further in paragraphs 101-103.

81. There has been considerable expansion in vocational training funded by the Falkland Islands Government. This is further discussed in paragraphs 103 and 105.

Any remaining obstacle to the participation of women on an equal basis with men in the political, social, economic and cultural life of their country

82. As detailed in previous reports, any difficulties associated with the provision of services in the Falkland Islands are mainly related to historical factors, the distribution of the population between Stanley and the Camp (all areas of the Falkland Islands outside Stanley and Mount Pleasant) and the small size of the population. These factors impact on both men and women. Furthermore, there has been considerable advancement as detailed in previous reports in relation to education and the relative wealth of persons living in the Falkland Islands. As detailed in this Report, advancements continue to be made.

83. Aside from the issues raised in this Report, the local authorities believe that there are no obstacles to the participation of women on an equal basis with men in the political, social, economic and cultural life of the Falkland Islands. In respect of issues raised, advancements continue to be made.

Matters raised by the Committee which could not be dealt with at the time when the previous report was considered

84. The Falkland Islands Government knows of no matters raised by the Committee which could not be dealt with at the time when the previous report was considered.

Information on measures taken to implement the Beijing Declaration and Platform for Action

85. In the Concluding Comments of the Committee on the Elimination of Discrimination Against Women: United Kingdom of Great Britain and Northern Ireland in relation to the third and fourth periodic reports in paragraphs 303 and 304, criticism was made in relation to the limited follow-up to commitments at the Beijing Conference in the Overseas Territories. In

respect of some of the recommendations, action has already been taken in the Falkland Islands and no further action is required. This part of the Report addresses the remaining recommendations and the Strategic Objectives contained in the Beijing Platform for Action so far as they relate to the Falkland Islands.

Women and poverty

86. Although the Falkland Islands enjoy a relatively high standard of living, the Falkland Islands Government continues to address the issue of poverty amongst women. While poverty is a relative term, there are some women, especially single mothers, who are 'relatively poor' and for whom limited assistance is available.

87. As previously reported, the social support system in the Falkland Islands is unsophisticated. Financial assistance is presently available to single parents with one or more children under school age, those unable to work due to illness or disability, pensioners who cannot afford all household expenses on their pensions, persons with dependants who are in receipt of inadequate assistance under the Special and Sheltered Employment Programmes, carers of the chronically ill or disabled and low income households in Camp.

88. The major forms of financial assistance include welfare benefits, attendance allowances for those who require assistance in their everyday lives, a winter fuel allowance for recipients of a retirement pension and rent assistance (see paragraph 91). Eligibility and the amount of allowance paid are determined on a case by case basis.

89. There is no statutory single parent's benefit payable and so there is pressure on women to return to work in order to support their children. The Social Work Department will assist by the provision of assistance, food, clothing and the like. However, rarely is a direct 'cash' payment made.

90. A family allowance of £52 per month is payable in respect of each child of the family under 16 years of age.

91. Under the Retirement Pensions Ordinance 1996, there is provision for the Falkland Islands Government to pay the statutory weekly retirement pensions contribution on behalf of any resident whose total income is too low for that person to be able to afford to pay the contribution themselves.

92. Rent rebates are available from the Falkland Islands Government for persons living in Government housing. However, assistance with the payment of rent is not available for persons living in private accommodation. This is the subject of review. There is no dedicated accommodation for single women, but a particular priority of the Government's housing programme is the provision of accommodation for single people.

93. A proposal currently under consideration in the Falkland Islands is for a 'Living Allowance'. While the existing ad hoc system traditionally may have been appropriate and expedient in the Falkland Islands because of the few cases requiring assistance and the close knit and supportive social structure that existed, a review was considered necessary as a response to the growth in population and the increasing complexity of the circumstances of

individuals and families as social structures evolve. The aim of the review is to create a more publicised, accessible, transparent and equitable system through the payment of a living allowance.

94. The Falkland Islands Government is aware of the issue of elderly women living on their own. The size of the population in the Falkland Islands and the fairly close-knit nature of the community means that support is often provided by an elderly person's family and friends. There is also some sheltered accommodation for elderly people adjoining the King Edward VII Memorial Hospital. The Government intends to build further sheltered accommodation for old people. The provision of this additional accommodation will particularly impact on women given that women tend to live longer than men. There are also plans to build a specific geriatric ward at the hospital, as elderly patients are currently treated in the general wards.

95. Women already have an equal right with men to inheritance and to ownership of land and other property in the Falkland Islands. Loans and grants are available on a non-discriminatory basis from the Falkland Island Development Corporation (a Government controlled statutory corporation) for persons who wish to set up or acquire a business. In addition, loans are available on a non-discriminatory basis from the local private financial institution (Standard Chartered Bank). A mortgage scheme to assist residents with the purchase of dwelling houses in Stanley is operated by the Standard Chartered Bank in conjunction with the Falkland Islands Government.

96. As detailed in previous reports, there is essentially full employment in the Falkland Islands. The 2001 Census figures show that the working population of the Islands has increased significantly since 1996, with 17.5% more people working full time (was 1724 now 2025). Among those of working age, the employment rate in full time employment is 98.5% (men) and 79.3% (women). There has been an increase in the number of working women (up by 24% to 797).

97. The 2001 Census revealed that 170 males and 146 females in the Falkland Islands have secondary or part-time employment.

98. In the Royal Falkland Islands Police, 8 of the 17 officers are women. Only one of those women holds the rank above constable, and she is a leading constable. The Chief Police Officer reports that promotion within the police force depends on experience and time served, not gender, and it is the force's policy to apply equal rights to all. In the Customs and Immigration Department, 5 of the 10 employees (3 full time and 2 casuals) are women.

Education and training of women

99. As detailed in the Second Report of the United Kingdom of Great Britain and Northern Ireland Supplementary Report on the Dependent Territories dated May 1991, education is compulsory in the Falkland Islands. The first year of education (reception) is followed by years 1 – 6 in the Infant and Junior school and years 7 – 11 in the Community School. General Certificate of Secondary Education (GCSE) examinations are usually sat of the end of year 11. The compulsory education age for all children, male or female, is between the age of five or if the child will turn five in the current academic year and the earlier of (a) the end of the third term of the academic year in which the child attains the age of sixteen years; and (b) the end of

the first term of the thirteenth year (year 12) of compulsory education, provided that a child who has attained the age of sixteen years before the beginning of a term in year 12 is not of compulsory education age during that term or any following term.

100. In addition, children are given the opportunity of starting school ("pre-school) in the year that they turn four. This means that some children start school while they are three. Pre-school is offered on a part-time basis for children.

101 In paragraph 4 of the Fourth Report statistics were given in relation to education. Those statistics are now updated by information in relation to 2001/2002 as follows:

(a) GCSE examinations —

Total candidates	**38**
Boys sitting examinations	20 (53%)
Girls sitting examinations	18 (47%)
Total passes all grades	355
Grade C and above passes (all candidates)	168 (47%)
Grade C and above passes (females)	93 (55%)

(b) Students sent overseas by Falkland Islands Government for 12th and 13th years of education as at September 2002

Year	**1998**	**1999**	**2000**	**2001**	**2002**
Total	9	17	10	9	18
Girls	6 (66%)	9 (53%)	6 (60%)	5 (56%)	10 (56%)

(c) teaching staff employed as at 1 February 2002 —

	Teachers	Assistant Teachers & Special Needs Assistants
Falkland Islands Community School:		
Male	7	0
Female	10	4
Stanley Infant/Junior School:		
Male	2	0
Female	13	7
Camp Education System: (for children of infant and junior age resident outside Stanley and Mount Pleasant)		
Male	2	0
Female	7	0

102. As at 1 November 2002, the Falkland Islands Government was funding training for women at tertiary institutions in a diverse range of disciplines: Tourism and Management BA Course; BA Human Geography; BA Sociology; BA Communication Studies; BA Media and Communications; BSc Psychology; Philosophy, Politics and Economics; Osteopathy; Fashion Design; LLB Law; BSc in Physiotherapy; BA English; Bachelor of Communications (LG) and NVQ (Level 3) Operating Department Practitioner. At the time of adding to this Report in 2003, there were thirteen female students undertaking tertiary education, representing 48% of the total tertiary education student population for the Falkland Islands.

103. Students complete their General Certificate of Secondary Education (year 11) in the Falkland Islands. Government funding is then available for all students to complete their 'A' levels (Advanced levels in years 12 and 13) in the United Kingdom. This applies without discrimination in relation to gender. Many successful 'A' level students progress to universities and similar institutions in the United Kingdom and elsewhere for tertiary education. This is also Government funded. Those less academically gifted or inclined are encouraged to undertake Government funded vocational training either in the Falkland Islands or overseas to meet measured vocational standards and qualifications. Again, this applies without discrimination in relation to gender.

104. The initiatives taken by the Falkland Islands Government in relation to vocational training have been expanded with the introduction of a modern apprenticeship scheme with National Vocational Qualifications (NVQs) and the introduction last year of NVQs offered locally. Both placements in the apprenticeship scheme and in NVQ courses are offered on a non-discriminatory basis.

105. In paragraph 5 of the Fourth Report, statistics were presented with regard to the employment and training of women by the Falkland Islands Government. The following statistics have been presented by the Human Resources Department of the Falkland Islands Government to update those statistics and are correct as at 1 November 2002 —

(a) the total number of persons currently employed by the Falkland Islands Government in administrative/technical/professional posts, including contract officers is 349;

(b) the number of those included in (a) who are women is 185;

(c) the number of persons included in (a) who are employed in higher grade posts (grade D and above) is 184, and the number of those who are women is 76;

(d) the number of persons employed who do not fall within (a) is 248;

(e) the number of persons of those included in (d) who are women is 112;

(f) the number of employees sent overseas for training in 1999 was 22 (of which 8 were women), in 2000 was 45 (of which 9 were women), in 2001 was 33 (of which 9 were women) and in 2002 was 49 (of which 19 were women);

(g) the number of persons included in (a) who are employed in senior positions (Grade A and above) is 35, and the number of those who are women is 6.

106. In the last 18 months, there have been a number of training courses provided in the Falkland Islands, including:

Certificate in Supervisory Management	22 women, 25 men
Certificate in Management Studies	2 women, 6 men
NVQs Level 4 &/or 5	6 women, 5 men
NVQs Level 2 &/or 3	22 women, 2 men
RSA Stages 1 & 2	18 women, 2 men

107. The 2001 Census provides information in relation to educational attainments by type, location and sex (Appendix A); population by employment status, age and sex (Appendix B) and primary occupations by type and sex (Appendix C). The census figures show that the population of the Falkland Islands is becoming increasingly more qualified. This applies to both men and women.

Women and Health

108. The Beijing Platform for Action affirmed that women have the right to the enjoyment of the highest attainable standard of physical and mental health. The Falkland Islands Government is committed to the attainment of this objective.

109. While broadly speaking the population of the Falkland Islands share the same health problems as the United Kingdom, particular areas of concern are dental health (teeth decay), obesity, heart disease and cancer.

110. Tooth decay is far worse than in the United Kingdom. The Falkland Islands Government is making a concentrated effort to deal with this problem, particularly as regards to children. It has identified the causes of the problem as sugary drinks and failure to brush teeth. The Government is doing everything it can to address such causes and to educate parents. Dental treatment is provided free of charge in the Falkland Islands.

111. Obesity is being addressed by the medical practitioners in the Falkland Islands. There has been publicity via the national radio station and weekly newspaper of the health problems that follow obesity and advice as to possible action that can be taken. The practice nurse is available for regular support; the Government funds free use of all facilities at the Sports Centre to patients referred by medical practitioners; and a weekly diet club (used primarily by women) has free use of Government facilities.

112. As was stated in the Second Report of the United Kingdom of Great Britain and Northern Ireland Supplementary Report on the Dependent Territories dated May 1991, health care in the Falkland Islands is provided by the Falkland Islands Government and is available regardless of age, sex or nationality. It is impracticable to provide in the Falkland Islands, because of the size of its population, all the kinds of medical treatment which may be required. In relation to persons who are resident in the Falkland Islands, and regardless of age, sex or nationality, the Falkland Islands Government arranges suitable treatment in the United Kingdom. No charge is currently made to resident 'consumers' of medical services for medical treatment or for the provision of drugs and medicines. Visitors from overseas (except persons resident in the United

Kingdom) are, in general, required to pay for such services, drugs and medicines. No discrimination in those charges is made between men and women.

113. Although the provision of satisfactory health services is more difficult in areas remote from Stanley, medical practitioners make regular visits to all settlements in the Camp. There is a radio clinic for Camp run from the King Edward VII Memorial Hospital. A recent initiative is the appointment on a trial basis of a Practice Nurse who is working on West Falkland one-day each week.

114. The Well Woman Clinic is run by the Practice Nurse and a female General Practitioner. This clinic offers a gender sensitive health programme. It offers (among other things) cervical screening.

115. There is a high standard of maternal care offered in the Falkland Islands. There are 3 midwives who conduct periodic examinations, as well as antenatal classes. The medical practitioners offer ultrasound screening and access to other testing. If a problem is detected with the pregnancy or thought likely in relation to the birth, either the woman is sent to the United Kingdom or a specialist is flown to the Falkland Islands. This is the situation that occurs with elective caesarean sections that are medically required. Emergency caesarean sections are performed in the Falkland Islands by the resident surgeon. Post-natal care and support is offered by the midwives and the Health Visitor in conjunction with the general practitioner (and resident surgeon in the case of caesarean births).

116. Termination of pregnancies are not offered in the Falkland Islands, so women must leave the Islands for this. The reason given for a failure to provide terminations in the Islands is that medical facilities available in the event of a problem with the procedure are unsatisfactory. Terminations for medical reasons are referred to the United Kingdom where they are undertaken on the NHS or are undertaken privately in the United Kingdom and paid for by Falkland Islands Government. The woman's travel costs will also be funded by the Falkland Islands Government.

117. The current policy of the Falkland Islands Health Service remains that non-medically required abortions are not funded by the Falkland Islands Government. In the past, however, the Health Service has supported non-medically required abortions (ie elective abortions) by doctors referring the woman to the United Kingdom and their flight being paid for by the Falkland Islands Government. However, whilst patients in this situation can still be referred to the United Kingdom for an abortion, neither their flight nor their abortion will be funded by the Falkland Islands Government. This results from a very recent change in policy, which has caused controversy in the local media where women have strongly objected to this restriction of rights to abortion services. The Falkland Islands Health Service has reported that the policy decision was based on prioritization of the Health Service budget spending on overseas treatments, not on ethical or other considerations.

118. Health Department estimates show that during the reporting period approximately two elective abortions per year have been arranged through their facilities. The number of women who may have sought abortions in England or elsewhere of their own volition is unknown, but unlikely to be significantly more than that figure. Abortions for medical reasons have not been recorded by the Health Department during this time, although it should be noted that women

with difficult pregnancies may have been referred for specialist care in the United Kingdom and any subsequent abortion had for medical reasons in the United Kingdom would not be recorded in those statistics.

119. Education on abortions is available as part of the normal health education programme run in the schools and the community. Information is routinely offered to women who enquire of abortion services.

120. A problem identified generally within the Health Service is that there is limited choice if women wish to see a female doctor. There is a female general practitioner who arrived in the Falkland Islands on 14 December 2002 and a part-time female medical practitioner. Women in Camp do not have a choice to see a female doctor unless they come to Stanley for an appointment and they would then have to pay for a portion of the cost of the flight themselves.

121. The dissemination of information of women's health is pursued through a number of means including the Well Women Clinic and regular medical articles in the weekly newspaper which is also broadcast on the national radio station, that from time to time covers aspects of women's health. The BBC World Service, which carries regular items on women's health issues, is receivable throughout the Falkland Islands. There is also literature available free of charge in the hospital.

122. Mental health services in the Islands are currently offered by visiting psychiatrists supported by the Social Work Department. This service is soon to be supplemented by a Mental Health Worker. Mental Health legislation in the Falkland Islands is under review.

123. The incidence of sexually transmitted disease is extremely low in the Falkland Islands. Statistical information available on sexually transmitted disease between November 2001 – October 2002 showed that 8% of tests for Chlamydia were positive. 119 tests for other sexually transmitted vaginal diseases revealed 1 case of gonnorrhoea and 1 case of trichomona vaginalis. There were 6 tests for HIV, which were all negative. It should be noted that half of the positive cases were military personnel and not Falkland Islands residents.

124. Although sexual activity by teenagers occurs in the Falkland Islands, unwanted pregnancies outside marriage have been minimised because of the availability free of charge of contraceptives. Sex education is offered as part of the education system. A new 'Sex and Relationships Education' programme is being developed in the secondary school. Health professionals regularly visit the secondary school to promote sex education and ensure that girls under the age of 16 are aware of the availability of family planning advice. Early sexual activity is discouraged. The Health Service's Well woman clinic promotes the availability of family planning services and does not discriminate as to the age of women and girls offered contraceptive advice.

Violence against women

125. Although violence against women occurs in the Falkland Islands (as with other countries), the Falkland Islands Government is committed to the prevention and prosecution of these offences. There is no known instance of violence against any woman perpetrated by the Government or its agents. In relation to violence by individuals against women, the criminal

law contains the full range of offences (assault, battery, wounding, grievous bodily harm, murder, rape and indecent assault) that are relevant to the prohibition of violence against women. In addition, the domestic violence policy (as discussed above at paragraph 69) makes the protection of women and children from violence the primary objective of police officers in a situation of domestic violence.

126. There is no known prostitution in the Falkland Islands.

127. There is no known trafficking in women in the Falkland Islands.

128. While the population of the Falkland Islands is too small to make it worthwhile to conduct research into the causes and consequences of violence against women and the effective of preventive measures taken, Falkland Islands Government professionals keep themselves informed in relation to research conducted in other larger jurisdictions (such as the United Kingdom). Access to the internet and the availability to publications on-line has greatly assisted the availability of information. In addition, information is made available by the FCO.

129. The operation of the criminal justice system in relation to offences against women is supported by the Social Work Department. The Social Work Department is able to provide limited protection to women and children. However, there are no formal refuges or safe houses in the Falkland Islands. The size of the population in the Falkland Islands would make 'hiding' a family only possible for a short period of time.

Women and armed conflict

130. Women were adversely affected by conflict following the invasion of the Falkland Islands in 1982 but the issue is not presently directly relevant in the Falkland Islands. The Falkland Islands Government is not directly represented at an international level and could not directly put into action the objectives of the Beijing Platform for Action as foreseen for this area of concern.

Women and the economy

131. The Falkland Islands Government has taken steps towards the promotion of women's economic rights and independence, including access to employment and appropriate working conditions and control over economic resources. These initiatives include the legislative reforms discussed in paragraph 65.

132. There has been growing flexibility in the employment market, so that part-time and job sharing arrangements are becoming more common. There is also greater flexibility in work hours.

133. As discussed in paragraph 95, women have access to Government business loans, which are aimed at encouraging self-employment and entrepreneurship.

134. There are many small businesses in the Falkland Islands that are run by women. The 2001 Census showed that there were 112 women running their own full-time or part-time business (the figure for men was 176).

135. There have been steady developments in rural development pursued by the Falkland Islands Government Department of Agriculture and the Falkland Islands Development Corporation. The development is aimed at the community as a whole, offering equal opportunities to men and women of all ages and abilities, but has necessarily improved the situation of rural women. The Goose Green Rural Development Project has raised the standard of living of rural women by upgrading homes, providing a 24 hour power supply and an increase in availability of paid employment for rural women. The Lifelong Learning Initiative has targeted rural areas for offering distance learning and workshops. IT centres have also been set up in rural areas as part of this initiative, giving rural women the use of facilities to learn and to access the world-wide web.

136. The Rural Incentive Scheme has provided start-up grants and loans to a number of rural women in the Falkland Islands in the reporting period. Rural women have taken this opportunity to establish their own businesses in craft and tourism in particular.

Women in power and decision-making

137. The provisions of Chapter 3 of the Constitution of the Falkland Islands provide complete equality between men and women as to voting and standing for election as a member of the Legislative Council of the Falkland Islands. Of the eight elected members, two are presently women. Other women have been elected to the Legislative Council in the past.

138. Female elected Legislative Councillors continue to represent the Falkland Islands at various international fora. During the reporting period, female elected representatives have represented the Falkland Islands at the United Nations Committee of 24 meetings, Commonwealth Parliamentary Association Conferences, Overseas Territories Consultative Council meetings and United Kingdom Parliamentary Party Conferences.

139. Within the Falkland Islands Government there are 30 committees. Women Chair 9 of these, including the Board of Education, the Health and Medical Services Committee, the Training and Education Council and the Information Technology Steering Group. Women perform the secretarial role for 23 of the committees.

140. As detailed in paragraph 104, women are appointed at Grades D to A and above (the Senior Grades in the Public Service) is 76.

141. In terms of female representation in the law, the proportion of female Government solicitors has increased to 50%. Whilst the Senior Magistrate and Chief Justice are currently both male, women are well represented (45%) in the bench of lay justices. The private legal sector, being very small, currently consists of only male legal representatives, but one of the two practices has consistently employed female trainee solicitors who are seconded from the United Kingdom.

Institutional mechanisms for the advancement of women

142. There are no institutions or authorities in the Falkland Islands which have as their specific task to ensure the principle of equality between men and women is complied with in practice. Neither does a sophisticated means of ensuring the advancement and development of women

exist. In view of the size of the population of the Falkland Islands, this would be inappropriate. However, the Falkland Islands Government is committed to equality between men and women. The advancement and development of women is achieved, in the main, by the adoption of appropriate Governmental and official policies. However, there is no elected representative with particular responsibility for women and no policy objectives have been formally set down in this regard.

Human rights for women

143. All persons in the Falkland Islands enjoy the rights and fundamental freedoms of the individual set out in Chapter 1 of the Constitution of the Falkland Islands. These provisions reflect the provisions of the International Covenant on Civil and Political Rights and the European Convention on Human Rights and are directly enforceable at the suit of the individual before the Supreme Court under the provisions of section 16 of the Constitution. In particular, section 12 provides protection from discrimination on the grounds of sex. On local remedies being exhausted, there is a right of individual petition to the European Court of Human Rights.

Women and the Media

144. There is limited opportunity for access to the communication sector in the Falkland Islands. This is not a gender issue but is due to the lack of media outlets in the Falkland Islands. In the national media that exists, women are well represented. The media consists of a weekly newspaper and a national broadcasting station. The 'Penguin News' is a weekly newspaper. The Editor, Deputy Editor and Advertising Manager of this newspaper are females. While the manager of the local broadcasting station (FIBS) is a man, most of the full-time staff and casual presenters are women including the Senior Producer and News Editor. There is no national television station in the Falkland Islands. There is also a commercial internet news journal owned and run by a woman.

145. Similarly, the size of the local media limits its ability to influence stereotypes about women. However, a television channel (British Forces Broadcasting Service) is broadcast throughout the Falkland Islands. Many programmes of particular interest to women are broadcast.

Women and the Environment

146. In the Falkland Islands, women are involved in the environmental decision making. In Falklands Conservation, a non-Governmental charity, the Conservation Officer is a woman. A number of the staff of Falklands Conservation, including the senior Field Science Officer, are women.

The Girl Child

147. In the Falkland Islands, girls and boys are accorded equal status. In view of this, many of the strategic objectives in the Beijing Platform for Action are not relevant in the circumstances of the Falkland Islands. For example, female genital mutilation, son-preference which results in female infanticide and prenatal sex selection, early marriage, sexual exploitation,

discrimination against girls in food allocation and other practices related to health and well-being have never existed in the Falkland Islands. There is no 'preference' for sons, and negative cultural attitudes and practices do not exist.

148. The education of children in the Falkland Islands is offered on a non-discriminatory basis as shown in paragraph 100.

149. There is no discrimination against girls in health and nutrition.

150. There is no sexual exploitation or child labour in the Falkland Islands.

151. The Falkland Islands Government is committed to the elimination of violence against both the girl and boy child. The Social Work Department provides a child protection service.